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April 14, 2022

VIA ECF

Honorable Loretta A. Preska
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

SO ORDERED.



4/15/2022

Re: *Petersen Energía Inversora, S.A.U. v. Argentine Republic*, No. 15-cv-02739 (“*Petersen*”)
Eton Park Capital Management, L.P. v. Argentine Republic, No. 16-cv-8569 (“*Eton Park*”)

Dear Judge Preska.

Pursuant to Rule 2(H) of Your Honor’s Individual Practices and Paragraph 13 of the stipulation and order governing the production and exchange of confidential materials in these actions (*Petersen*, Dkt. 177; *Eton Park*, Dkt. 124) (the “Protective Order”), Plaintiffs Petersen Energía Inversora, S.A.U., Petersen Energía, S.A.U., Eton Park Capital Management, L.P., Eton Park Master Fund, Ltd., and Eton Park Fund, L.P. (collectively, “Plaintiffs”) respectfully move for an order granting leave to redact portions of Plaintiffs’ Memorandum of Law and Rule 56.1 Statement of Material Facts in Support of Motion for Summary Judgment, and file under seal or redact some of the Exhibits to the Declaration of George W. Hicks, Jr., in Support of Motion for Summary Judgment.

Plaintiffs’ Memorandum of Law and Rule 56.1 Statement of Material Facts in Support of Motion for Summary Judgment contain descriptions or quotations from portions of the following materials designated confidential under the Protective Order:

- Transcripts of the depositions of Harold Sharon, Steven Davidoff Solomon, Diego Pando, Matias Eskenazi, and Alejandro Uslenghi;
- Documents with Bates numbers YPFPT00093058-089, YPFPT00053065-175, and YPFPT00102657-660 designated confidential by Defendant YPF S.A.; and

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- Documents with Bates numbers CSSU_Petersen_0310-316 and GP00026001-047 designated confidential by the third parties that produced them.

The following Exhibits to the Declaration of George W. Hicks, Jr., contain descriptions or quotations from, or are themselves, materials designated confidential under the Protective Order:

Exhibit 25, Expert Report of John C. Coffee, Jr., dated Sept. 22, 2021, contains quotes from a third-party-produced document that the third party designated confidential under the Protective Order.

Exhibit 28, Expert Rebuttal Report of Daniel R. Fischel, dated Jan. 14, 2022, quotes a third-party-produced document that the third party designated confidential under the Protective Order.

Exhibit 31, Expert Report of Nancy C. Lissemore, dated Sept. 24, 2021, contains quotes from third-party-produced documents that the third party designated confidential under the Protective Order.

Exhibit 32, Reply Expert Report of Nancy C. Lissemore, dated Jan. 14, 2022, contains quotes from the deposition of Diego Pando, which Defendant YPF S.A. designated confidential under the Protective Order.

Exhibit 34, Declaration of Dr. Alfredo L. Rovira, dated Sept. 24, 2021, contains quotes from the deposition of Diego Pando, which Defendant YPF S.A. designated confidential under the Protective Order.

Exhibit 35, Declaration of Dr. Alfredo L. Rovira, dated Dec. 3, 2021, contains quotes from the deposition of Diego Pando, which Defendant YPF S.A. designated confidential under the Protective Order.

Exhibit 47, Rebuttal Expert Report of Jeffrey H. Harris, Ph.D., dated Dec. 3, 2021, contains descriptions and quotes of third-party-produced documents that those third parties designated confidential under the Protective Order.

Exhibit 48, Rebuttal Expert Report of Aída Kemelmajer de Carlucci, dated Dec. 3, 2021, contains descriptions of testimony by Matias Eskenazi Storey and Sebastian Eskenazi that was designated confidential under the Protective Order. The parties are conferring with the witnesses' counsel on whether the designation can be lifted.

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Exhibit 49, Rebuttal Expert Report of Daniel Marx, dated Dec. 3, 2021, contains descriptions and quotes of third-party-produced documents that the third party designated confidential under the Protective Order.

Exhibit 53 contains excerpts from the transcript of the Aug. 13, 2021 deposition of Matias Eskenazi Storey and the corresponding errata sheet, which were designated confidential under the Protective Order. The parties are conferring with counsel for Mr. Eskenazi Storey on whether the designation can be lifted.

Exhibit 54 contains excerpts from the transcript of the Mar. 3, 2022 deposition of Aída Kemelmajer de Carlucci and the corresponding errata sheet, which Defendant YPF S.A. designated confidential under the Protective Order.

Exhibit 55 contains excerpts from the transcript of the Mar. 8, 2022 deposition of Daniel Marx and the corresponding errata sheet. Most of the errata sheet Defendant YPF S.A. designated confidential under the Protective Order.

Exhibit 58 contains excerpts from the transcript of the Feb. 11, 2022 deposition of José Antonio Ocampo. Most of the errata sheet Defendant Republic of Argentina designated confidential under the Protective Order.

Exhibit 59 contains excerpts from the transcript of the Aug. 6, 2021 deposition of Diego Pando and the corresponding errata sheet, which Defendant YPF S.A. designated confidential under the Protective Order.

Exhibit 60 contains excerpts from the transcript of the Feb. 7, 2022 deposition of Harold Sharon and the corresponding errata sheet, which Defendant Republic of Argentina designated confidential under the Protective Order.

Exhibit 61 contains excerpts from the transcript of the Mar. 10, 2022 deposition of Steven Davidoff Solomon and the corresponding errata sheet, much of which Defendant YPF S.A. designated confidential under the Protective Order.

Exhibit 62 contains excerpts from the transcript of the Feb. 8, 2022 deposition of Alejandro Uslenghi and the corresponding errata sheet, much of which Defendant Republic of Argentina designated confidential under the Protective Order.

Exhibit 79, CSSU_Petersen_0310-316, is a third-party-produced document that was designated confidential by that third party under the Protective Order.

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Exhibit 82, GP00026001-047, is a third-party-produced document that was designated confidential by that third party under the Protective Order.

Exhibit 105, YPFPT00053065-175, was designated confidential by Defendant YPF S.A.

Exhibit 106, YPFPT00093058-089, was designated confidential by Defendant YPF S.A.

Exhibit 107, YPFPT00102657-660, was designated confidential by Defendant YPF S.A.

Respectfully submitted,

/s/ Paul Clement
Paul D. Clement, P.C.

Cc: All counsel of record